

In *Loving v. Virginia*, Warren wrote that miscegenation laws violated the Constitution's equal protection clause. "We have consistently denied the constitutionality of measures which restrict the rights of citizens on account of race," he said.

By their own widely reported accounts, Mrs. Loving and her husband, Richard, were in bed in their modest house in Central Point in the early morning of July 11, 1958, five weeks after their wedding, when the county sheriff and two deputies, acting on an anonymous tip, burst into their bedroom and shined flashlights in their eyes. A threatening voice demanded, "Who is this woman you're sleeping with?"

Mrs. Loving answered, "I'm his wife."

Mr. Loving pointed to the couple's marriage certificate hung on the bedroom wall. The sheriff responded, "That's no good here."

The certificate was from Washington, D.C., and under Virginia law, a marriage between people of different races performed outside Virginia was as invalid as one done in Virginia. At the time, it was one of 16 states that barred marriages between races.

After Mr. Loving spent a night in jail and his wife several more, the couple pleaded guilty to violating the Virginia law, the Racial Integrity Act. Under a plea bargain, their one-year prison sentences were suspended on the condition that they leave Virginia and not return together or at the same time for 25 years.

Judge Leon M. Bazile, in language Chief Justice Warren would recall, said that if God had meant for whites and blacks to mix, he would have not placed them on different continents. Judge Bazile reminded the defendants that "as long as you live you will be known as a felon."

They paid court fees of \$36.29 each, moved to Washington and had three children. They returned home occasionally, never together. But times were tough financially, and the Lovings missed family, friends and their easy country lifestyle in the rolling Virginia hills.

By 1963, Mrs. Loving could stand the ostracism no longer. Inspired by the civil rights movement and its march on Washington, she wrote Attorney General Robert F. Kennedy and asked for help. He wrote her back, and referred her to the American Civil Liberties Union.

The A.C.L.U. took the case. Its lawyers, Bernard S. Cohen and Philip J. Hirschkop, faced an immediate problem: the Lovings had pleaded guilty and had no right to appeal. So they asked Judge Bazile to set aside his original verdict. When he refused, they appealed. The Virginia Supreme Court of Appeals upheld the lower court, and the case went to the United States Supreme Court.

Mr. Cohen recounted telling Mr. Loving about various legal theories applying to the case. Mr. Loving replied, "Mr. Cohen, tell the court I love my wife, and it is just unfair that I can't live with her in Virginia."

Mildred Delores Jeter's family had lived in Caroline County, Va., for generations, as had the family of Richard Perry Loving. The area was known for friendly relations between races, even though marriages were forbidden. Many people were visibly of mixed race, with *Ebony* magazine reporting in 1967 that black "youngsters easily passed for white in neighboring towns."

Mildred's mother was part Rappahannock Indian, and her father was part Cherokee. She preferred to think of herself as Indian rather than black.

Mildred and Richard began spending time together when he was a rugged-looking 17 and she was a skinny 11-year-old known as Bean. He attended an all-white high school for a year, and she reached 11th grade at an all-black school.

When Mildred became pregnant at 18, they decided to do what was elsewhere deemed the right thing and get married. They both said their initial motive was not to challenge Virginia law.

"We have thought about other people," Mr. Loving said in an interview with *Life* magazine in 1966, "but we are not doing it just because somebody had to do it and we wanted to be the ones. We are doing it for us."

In his classic study of segregation, "An American Dilemma," Gunnar Myrdal wrote that "the whole system of segregation and discrimination is designed to prevent eventual inbreeding of the races."

But miscegenation laws struck deeper than other segregation acts, and the theory behind them leads to chaos in other facets of law. This is because they make any affected marriage void from its inception. Thus, all children are illegitimate; spouses have no inheritance rights; and heirs cannot receive death benefits.

"When any society says that I cannot marry a certain person, that society has cut off a segment of my freedom," the Rev. Dr. Martin Luther King Jr. said in 1958.

Virginia's law had been on the books since 1662, adopted a year after Maryland enacted the first such statute. At one time or another, 38 states had miscegenation laws. State and federal courts consistently upheld the prohibitions, until 1948, when the California Supreme Court overturned California's law.

Though the Supreme Court's 1967 decision in the *Loving* case struck down miscegenation laws, Southern states were sometimes slow to change their constitutions; Alabama became the last state to do so, in 2000.

Mr. Loving died in a car accident in 1975, and the Lovings' son Donald died in 2000. In addition to her daughter, Peggy Fortune, who lives in Milford, Va., Mrs. Loving is survived by her son, Sidney, of Tappahannock, Va.; eight grandchildren; and 11 great-grandchildren.

Mrs. Loving stopped giving interviews, but last year issued a statement on the 40th anniversary of the announcement of the Supreme Court ruling, urging that gay men and lesbians be allowed to marry.

#### IN HONOR OF COACH PHILIP LEVY

#### HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 2008*

Mr. PICKERING. Madam Speaker, I would like to honor Coach Philip Levy, as he leaves the Veritas School to pursue his law degree at the University of Mississippi. At the Veritas School, Philip taught both Latin and humanities while also serving as a coach.

Philip Levy grew up in Jackson and has served as head soccer coach at the Veritas School for a year now. He coached both the high school boys and girls soccer teams. This year, he led the girls' team all the way to the State Championship. In his athletes, he built character, leadership, sportsmanship, and teamwork; in the classroom he trained his students to seek truth. The entire Veritas School is thankful for Philip's invaluable example that he provided to all of his students and athletes.

Madam Speaker, I hope the Congress joins me in paying tribute to Coach Philip Levy for his leadership and for serving as a role model. He has touched the lives of many young students, and I know they will be forever grateful. I wish him well in Ole Miss Law School and

know that he will be successful in his future endeavors.

#### SENSE OF HOUSE OF ESTABLISHING A NATIONAL TEACHER DAY

SPEECH OF

#### HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 5, 2008*

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in support of House Resolution 952, to honor and recognize our Nation's teachers. I want to thank my colleague and good friend, Congressman RON KLEIN for sponsoring this resolution. Today marks the beginning of National Teacher Appreciation Week, but America's teachers deserve more than a week of recognition for their investment in our country's most precious resource, our children.

Too often teachers are overworked and underpaid. They spend long hours in the classroom, many hours after the school day coaching our kids and leading their extracurricular groups, and then go home to spend more time grading papers. They invest their own lives in the lives of our children, and every day they empower young people with the knowledge and tools they need to be successful and confident. America's future is in the hands of our children, and we owe our teachers a universe of thanks for their hard work.

#### RECOGNIZING THE BUCKHEAD COALITION'S INITIATIVE TO EQUIP PHARMACIES WITH BACKUP POWER GENERATORS TO BE USED IN THE EVENT OF AN EMERGENCY

#### HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 2008*

Mr. LEWIS of Georgia. Madam Speaker, I rise today to commend the Buckhead Coalition of Atlanta, Georgia, for its innovative program to ensure that Atlanta residents are able to access prescription medications in the event of a disaster or power outage. Buckhead Coalition is a nonprofit organization of chief executive officers, business owners and community leaders representing part of the Fifth Congressional District of Georgia. Led by its president and my good friend, former Atlanta Mayor Sam Massell, the Buckhead Coalition is advancing a plan to equip pharmacies and drug stores with backup power generators to ensure that people are able to have access to their medications in the event of a disaster, either natural or manmade.

One of the lessons learned from Hurricane Katrina's devastation of New Orleans and the Gulf Coast was the necessity for emergency generators in pharmacies. In today's business environment, pharmacies cannot operate without working computers, refrigerators and other electrical equipment. In the Buckhead area, of the twenty-two pharmacies, now only four do not have emergency generators. According to the American Pharmaceutical Association, the